



**U.S. Equal Employment Opportunity Commission
Cleveland Field Office**

EEOC, AJC Fed Bldg
1240 E 9th St, Ste 3001
Cleveland, OH 44199
(216) 522-2001
TDD: 1-800-669-6820
Fax: (216) 522-7395
1-800-669-4000

Respondent: UNIVERSITY HOSPITALS HEALTH SYSTEM
EEOC Charge No.: 532-2018-02699
FEPA Charge No.:

September 14, 2018

Jamia Thomas
6421 Piercefield Drive
Cleveland, OH 44143

Dear Ms. Thomas:

This is to acknowledge receipt of the above-numbered charge of employment discrimination against the above-named respondent. Please use the "EEOC Charge No." listed above whenever you call us about this charge. The information provided indicates that the charge is subject to:

<input checked="" type="checkbox"/>	Title VII of the Civil Rights Act of 1964 (Title VII)
<input type="checkbox"/>	The Age Discrimination in Employment Act (ADEA)
<input checked="" type="checkbox"/>	The Americans with Disabilities Act (ADA)
<input checked="" type="checkbox"/>	The Equal Pay Act (EPA)
<input type="checkbox"/>	The Genetic Information Nondiscrimination Act (GINA)


You need do nothing further at this time. We will contact you when we need more information or assistance. A copy of the charge or notice of the charge will be sent to the respondent within 10 days of our receipt of the charge as required by our procedures.

Please be aware that we will send a copy of the charge to Ohio Civil Rights Commission Central Office 30 East Broad Street Columbus, OH 43215 as required by our procedures. If the charge is processed by that agency, it may require the charge to be signed before a notary public or an agency official. Then the agency will investigate and resolve the charge under their statute. If this occurs, section 1601.76 of EEOC's regulations entitles you to ask us to perform a Substantial Weight Review of the agency's final finding. To obtain this review, a written request must be made to this office within 15 days of receipt of the agency's final finding in the case. Otherwise, we will generally adopt the agency's finding as EEOC's.

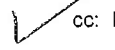
The quickest and most convenient way to obtain the contact information and the status of your charge is to use EEOC's Online Charge Status System, which is available 24/7. You can access the system via this link (<https://publicportal.eeoc.gov/portal>) or by selecting the "My Charge Status" button on EEOC's Homepage (www.eeoc.gov). To sign in, enter your EEOC charge number, your zip code and the security response. An informational brochure is enclosed that provides more information about this system and its features.

While your charge is pending, please notify us of any change in your address, or where you can be reached if you have any prolonged absence from home. Your cooperation in this matter is essential.

Sincerely,


Joann J. Wells
Investigator Support Asst
(216) 522-2578

Office Hours: Monday – Friday, 8:30 a.m. - 4:45 p.m.
www.eeoc.gov

Enclosure(s):  cc: Donyetta Bailey, Attorney
BAILEY LAW OFFICE, LLC
1600 Scripps Center, 312 Walnut Street
Cincinnati, OH 45202

EEOC Form 5 (5/01)

CHARGE OF DISCRIMINATION <small>This form is filed by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</small>		Charge Presented to: Agency(ies) Charge No(s): <input type="checkbox"/> FEPA <u>532-2018-02699</u> <input checked="" type="checkbox"/> EEOC	
SEP 11 2018 RECEIVED EEOC CLEO		Ohio Civil Rights Commission and EEOC <small>State or local Agency, if any</small>	
Name (Indicate Mr, Ms, Mrs.) Jamia Cain Thomas		Home Phone (Incl. Area Code) 216-702-0353	Date of Birth 7/11/1983
Street Address City, State and ZIP Code 6421 Piercefield Drive, Cleveland, Ohio 44143			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name University Hospitals Cleveland Medical Center		No. Employees, Members 500+	Phone No. (Include Area Code) 216-844-3016
Street Address City, State and ZIP Code 11100 Euclid Avenue, Cleveland, Ohio 44106			
Name 		No. Employees, Members 	Phone No. (Include Area Code)
Street Address City, State and ZIP Code 			
DISCRIMINATION BASED ON (Check appropriate box(es).) <input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input checked="" type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify below.)		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 1/2017 <input checked="" type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attached extra sheet(s)): <p>My name is Jamia Cain (married name is now Thomas) and I am an African American female. In December 2016, I was promoted to the position of Administrator II, Cardiac Surgery & V.A.D. program, at University Hospitals Cleveland Medical Center's Harrington Heart & Vascular Institute (HHVI) by Robin Rowell, a white female. I was the only African American manager in the entire HHVI. All of the surgeons were male, and the Vice President and President of HHVI were male.</p> <p>Robin Rowell was the VP of HHVI, at the time, and Dr. Daniel Simon (White male) was the President. In January 2017, Dr. Simon was promoted to President of the entire hospital and Dr. Marco Costa (White male), was his replacement as the President of HHVI beginning January 2017. Dr. Costa demoted Robin and replaced her with Eric Hess in April 2017. Eric Hess became my immediate supervisor in April 2017. Dr. Costa, Dr. Sabik (Chair of Surgery) and Eric Hess complained about me being in this role as soon as they met me and realized that I was a young African American female, before they even had enough time to assess my job performance (less than 30 days).</p> <p>Although I was promoted to the Administrator II position, I was paid \$100,000, which was significantly less than my similarly situated white colleagues Rebecca Kahl and Dick Ingersol. I am a Registered Nurse with a B.S. in Nursing and an MBA. Rebecca Kahl was the Administrator II for the Vascular Surgery Division and paid \$168,000 even though Rebecca Kahl is not a Registered Nurse and does not have a B.S. in Nursing. I was also the only Administrator over two departments with over 35 direct reports. Rebecca Kahl was the Administrator for only one department with approximately 5 direct reports, and Dick Ingersol was the Administrator over one department with approximately 15 direct reports. He also was not a Registered Nurse and did not have a B.S. in Nursing. Yet, Dick Ingersol was also paid significantly more than me.</p> <p>During my time as Administrator, I was denied access to the financial records, including budgets,</p>			

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salaries, and other information necessary for me to do the business aspect of my job. I was also denied training to do the business aspect of my job and denied the same access to meetings and information that the other white Administrators were given, including the Administrators monthly meetings. I was also required to attend hospital initiative meetings or handle initiatives that my white colleagues were not required to attend or handle.

Eric Hess, Dr. Costa, and Dr. Sabik subjected me to a hostile work environment by excluding me from meetings, overly criticizing my work performance, blaming me for issues that they themselves were responsible for handling and/or work that others were responsible for handling, thereby causing me to take FMLA leave for exacerbation of my pre-existing mental health condition. When I returned from FMLA leave, I was not updated on the status of my job responsibilities from the persons that handled them while I was on medical leave or given any transition or hand off memoranda or information. In December 2017, they placed me on a Performance Improvement Plan (PIP) for issues that were not within my realm of responsibility, and/or not my sole responsibility and/or for alleged performance issues that were not within my control. In addition, these performance issues were never raised in my bi-weekly meetings or one on one meetings with my supervisor. My white colleagues were not treated this way.

I believe my supervisors did not want me in this role because I was an African American female.

I believe they discriminated against me due to my race, gender, and disability in violation of Title VII of the Civil Rights Act, as amended, Equal Pay Act, as amended, Americans with Disabilities Act, as amended, and equivalent Ohio state laws.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY – *When necessary for State and Local Agency Requirements*

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.
SIGNATURE OF COMPLAINANT

8/5/18

Date

Jamia Cain Thomas

Charging Party Signature

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

Signature:

Jamia Cain Thomas
Jamia Cain Thomas (Sep 5, 2018)

Email: miarn711@gmail.com

